

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED
MAY 18 2005
JOHN F. CORCORAN, CLERK
BY: *John F. Corcoran*
DEPUTY CLERK

Petitioner Michael R. Shuck, II, a Federal inmate proceeding pro se, has filed a motion to appeal this court's denial of several of Shuck's claims on March 24, 2005. Fed. R. App. Pro. R. 3(c)(1)(C) requires the movant to provide the name of the court to which the appeal is made. Shuck does not name any court in his motion. Therefore, as there is no final order to appeal, this court construes Shuck's motion as a motion for reconsideration. However, in that Shuck provides no grounds for reconsideration, the court must deny this motion.

If Shuck wishes to file an interlocutory appeal to the Court of Appeals for the Fourth Circuit, he should specify that court in his motion. Shuck is advised that should he file an appeal, he will be assessed a \$255 filing fee by the Court of Appeals. In addition, Shuck may file an appeal of any order once his remaining claim is adjudicated and this case is closed. An appropriate order will be entered this day.

ENTER: This 17th day of May, 2005.

John Conrad
UNITED STATES DISTRICT JUDGE